

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ROCKWELL AUTOMATION, INC.,

Plaintiff,

v.

3S-SMART SOFTWARE SOLUTIONS,
GMBH,

Defendant.

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Civil Action No. 2:15-cv-01543

JURY TRIAL REQUESTED

DECLARATION OF ANN G. FORT
IN SUPPORT OF DEFENDANT'S RESPONSIVE CLAIM CONSTRUCTION BRIEF

I, Ann G. Fort, declare as follows:

1. I am a partner with the law firm of Sutherland Asbill & Brennan LLP, a member in good standing of the State Bar of Georgia and of the Bar of this District.

2. I am counsel for Defendant 3S-Smart Software Solutions, GmbH (3S) in the above-captioned matter.

3. Exhibit C is a true and correct copy of the Rockwell Automation Industrial Automation glossary (5th ed.) available at: http://literature.rockwellautomation.com/idc/groups/literature/documents/qr/ag-qr071_-en-p.pdf

4. Exhibit D to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '124 Patent File History, produced by Rockwell as RAI_00000228-231.

5. Exhibit E to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '133 Patent File History, produced by Rockwell as RAI_00000372-375.

6. Exhibit F to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '711 Patent File History, produced by Rockwell as RAI_00000515-518.

7. Exhibit G to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '795 Patent File History, produced by Rockwell as RAI_ 00000652-656.

8. Exhibit H to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '149 Patent File History, produced by Rockwell as RAI_ 00000733-737.

9. Exhibit I to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '293 Patent File History, produced by Rockwell as RAI_ 00000992-1003.

10. Exhibit J to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '226 Patent File History, produced by Rockwell as RAI_ 00001357-1361.

11. Exhibit K to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '567 Patent File History, produced by Rockwell as RAI_00002360-2383.

12. Exhibit L to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '567 Patent File History, produced by Rockwell as RAI_ 00002539-2553.

13. Exhibit M to 3S's Responsive Claim Construction Brief is a true and exact copy of a portion of the '133 Patent File History, produced by Rockwell as RAI_ 00000388-390.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 29, 2016.

/s/ Ann G. Fort

Ann G. Fort